



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Laibinis, P.E. et al.	Attorney Docket No.: MTV-031.01
Serial No: 09/848,609	Examiner: Wessendorf, Teresa D.
Filed: May 3, 2001	Group Art Unit: 1639
For: <i>Methods And Reagents For Assembling Molecules On Solid Supports</i>	

Commissioner for Patents
Washington, DC 20231

Certificate of Mailing	
I hereby certify that this "Response to Restriction Requirement" is being deposited with the U. S. Postal Service as First Class Mail with sufficient postage on the date set forth below in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
<u>1-6-03</u> Date of Signature and Mail Deposit	By: <u>[Signature]</u> John Barretto

Response to Restriction Requirement

Dear Examiner Wessendorf:

In response to the Restriction Requirement, mailed November 25, 2002, in the above-identified application, the Applicants respectfully elect **Invention I**, claims 1-11. However, the Applicants respectfully assert that simultaneous examination of Invention I and Invention II (claims 12-19) would not place an undue burden on the Examiner because the Inventions are related as individual probe and array of said probes. See MPEP § 803 ("If the search and examination of an entire application can be made without serious burden, the [E]xaminer must examine it on the merits, even though it includes claims to independent or distinct inventions."). Therefore, the Applicants respectfully request that the Examiner modify the instant Restriction Requirement, examining Inventions I and II, i.e., claims 1-19, in the instant application.

Election of Species for Search Purposes

The Applicants respectfully elect the various Species tabulated below. Claims 1-6, and 9-19 read on the elected Species.

Claim Limitation	Species Elected
Crosslinking moiety	psoralen
Target moiety	ssDNA or dsDNA
Functionalized Support	functionalized with multiple surface-bound capture oligonucleotides (as opposed to clusters thereof)
Length of pairing oligonucleotide sequence	10 nucleotides

Of course, the elections of Species made herein are made solely for search purposes. The Applicants expressly reserve the right to prosecute species not elected herein in other patent applications claiming the benefit of the filing date of this application. Furthermore, the Applicants understand that upon allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. *See* 37 CFR 1.141.

Conclusion

The Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
Foley Hoag LLP

By: *Dana Gordon*

Dana M. Gordon, PhD
Reg. No. 44,719
Attorney for Applicants

155 Seaport Boulevard
Boston, MA 02210
Telephone: (617) 832-1000
Telecopier: (617) 832-7000

Date: 1/3/03